IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE ELEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 4872 of 2005

Between:

Begari Yadaiah S/o. Papaiah
R/o. Mall Village, Yacharam Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The District Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2 The Revenue Divisional Officer, East Division, R.R. District.
3 The Mandal Revenue Officer, Yacharam Mandal, R.R. District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, to declare the action of the respondents in not conducting the survey and demarcating the lands situated in Sy.Nos. 568 and 569 of Mall and Nallabelli Villages, Yacharam Mandal, R.R. District and fixing the boundary stones pursuant to the representation dt. 20-12-2004 as arbitrary, illegal unjust and consequently direct the respondents to forthwith act upon the representation and to issue the pattedar Pass books and to grant such other relief or reliefs as this Hon'ble Court deems fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.PALLENAGESWAR RAO

Counsel for the Respondents: GP FOR REVENUE

The Court at the admission stage made the following :

ORDER:

The petitioner claims to be the owner of the land in Survey Nos.568 and 569 of Mall and Nallabelli Villages, Yacharam Mandal, R.R.District. He states that certain boundary disputes arose with the neighbouring land owners and with a view to resolve the same, he had applied to the 3rd respondent on 20.12.2004 to undertake survey and demarcate the boundaries. His grievance is that no action has been taken thereon.

Heard the learned counsel for the petitioner and the learned Government Pleader for Revenue.

The A.P. Survey and Boundaries Act prescribes the procedure for conducting surveys and fixation of boundaries of the lands. If any owner of the land intends to get his land surveyed, he is required to make an application in the prescribed form and deposit the requisite fee. It is not known as to whether the petitioner submitted an application in the prescribed form and paid the requisite fee. A copy of the representation, dated 20.12.2004 is placed before this Court. If the application is found to be in order, the 3rd respondent is under obligation to put the neighbouring owners on notice before undertaking any survey.

Hence, the writ petition is disposed of, leaving it open to the petitioner to submit an application in the prescribed form and to remit the requisite fee for the purpose of undertaking the survey and fixation of boundaries of his land. As and when such application is made, the 3rd respondent shall take necessary steps to cause the land surveyed, within a period of six weeks thereafter. There shall be no order as to costs.

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11.03.2005

Note: Issue C.C. in three days.

(B/o)

Jsu

To

1 The District Collector, Ranga Reddy District, at Lakdikapool, Hyderabad.
2 The Revenue Divisional Officer, East Division, R.R. District.
3 The Mandal Revenue Officer, Yacharam Mandal, R.R. District.

4 2 CCs to the G.P. for Revenue, High Court Buildings, Hyderabad. (OUT)

5 2 CD copies.

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